

103^D CONGRESS
2^D SESSION

H. R. 4472

To provide that the prevailing party in a tort action is entitled to recover attorneys' fees from the nonprevailing party.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 1994

Mr. SENSENBRENNER introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide that the prevailing party in a tort action is entitled to recover attorneys' fees from the nonprevailing party.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AWARD OF ATTORNEYS' FEES.**

4 The prevailing party in any civil action brought in
5 a State or Federal court for money damages for injury
6 or loss of property or personal injury or death caused by
7 a negligent act or omission shall be entitled to recover
8 from the nonprevailing party a reasonable attorney's fee.
9 If sought by the prevailing party, the court shall award
10 an attorney's fee under this section, whether the prevailing

1 party is a plaintiff or defendant, unless the court finds
2 special circumstances that would render such an award
3 unjust.

4 **SEC. 2. DEFINITION.**

5 For purposes of this Act, the term “State” includes
6 the District of Columbia.

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